

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FTX TRADING LTD., *et al.*¹

Debtors.

Case No. 22-11068 (JTD)

Chapter 11

(Jointly Administered)

Related Docket No. 8048

**THE FTX MDL CO-LEAD COUNSEL’S RESERVATION OF RIGHTS
IN CONNECTION WITH (I) APPLICATION OF THE UNITED
STATES TRUSTEE FOR ORDER APPROVING APPOINTMENT OF
ROBERT J. CLEARY, ESQ. AS EXAMINER; (II) MOTION FOR ENTRY OF AN
ORDER (A) ESTABLISHING THE SCOPE, COST, DEGREE, AND DURATION OF
THE INITIAL PHASE OF THE EXAMINATION AND (B) GRANTING RELATED
RELIEF; AND (III) MOTION TO FILE CERTAIN INFORMATION REGARDING
POTENTIAL PARTIES IN INTEREST UNDER SEAL**

The Moskowitz Law Firm, PLLC and Boies Schiller Flexner LLP (together, the “FTX MDL Co-Lead Counsel”), solely in their capacity as Plaintiffs’ Co-Lead Counsel in *In re FTX Cryptocurrency Exchange Collapse Litigation*, Case No. 23-md-03076, pending in the United States District Court for the Southern District of Florida (the “FTX MDL”), submit this reservation of rights to the *(I) Application of the United States Trustee for Order Approving Appointment of Robert J. Cleary, Esq. as Examiner; (II) Motion for Entry of an Order (A) Establishing the Scope, Cost, Degree, and Duration of the Initial Phase of the Examination and (B) Granting Related Relief; and (III) Motion to File Certain Information Regarding Potential*

¹ The last four digits of FTX Trading Ltd.’s and Alameda Research LLC’s tax identification number are 3288 and 4063, respectively. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.ra.kroll.com/FTX>.

Parties in Interest Under Seal [Docket No. 8048] (the “Motion”)² filed by the United States Trustee for Region 3 (the “United States Trustee”).

The FTX MDL Co-Lead Counsel do not object or otherwise oppose the relief requested in the Motion or the proposed form of order, attached as Exhibit C (the “Proposed Order”) to the Motion. The FTX MDL Co-Lead Counsel understand that the United States Trustee is in discussions with other parties in interest regarding the form of the Proposed Order. The FTX MDL Co-Lead Counsel file this reservation of rights, out of an abundance of caution, to preserve their ability to object to any modifications to the Proposed Order and to be heard at the hearing on the Motion to the extent necessary.

Dated: March 14, 2024

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Mary F. Caloway

Jason H. Rosell (admitted *pro hac vice*)
Mary F. Caloway (DE Bar No. 3059)
919 North Market Street, 17th Floor
P.O. Box 8705
Wilmington, Delaware 19899 (Courier 19801)
Telephone: (302) 652-4100
Facsimile: (302) 652-4400

Counsel to FTX MDL Co-Lead Counsel

² A capitalized term used but not defined herein shall have the meaning ascribed to it in the Motion.